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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 10/738,417)
Inventor: Ham, J) Ex. S. Johnson
Filed: Dec. 17, 2003) Art Unit 3641
Title: INERT TACTICAL WEAPONS SYSTEM)
AND METHOD OF USE)
To. Commissioner of Patents

Response to the Patent Office Communication of

February 28, 2011

In response to the above identified communication canceling claims 10 – 15 and 17 – 19, Applicant, through the undersigned responds as follows:

Please cancel claims 1 through 9 drawn to a non-elected invention.

Rewrite claim 16 in independent form as follows:

16. A CO₂ neutralizing system for use against terrorists and/or hostage takers within a confined space, said system comprising

a source of CO₂ which has an odorant mixed therewith to
create a false impression of the nature of the gas,

manual non-explosive means to create an opening in said space,

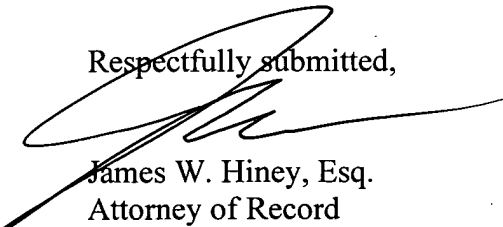
and means to deliver said CO2 from said source into said space,

said means to deliver said CO2 operatively connected to said means
to create an opening.

All the claims except claim 16 have been cancelled and claim 16 rewritten in independent form above. This response is in compliance with the Examiner's comments in his letter of Feb. 28, 2011. It should be noted for the record that a decision in this case came as a surprise as there was never any Examiner's amendment received from the Examiner by the undersigned and/or the inventor.

There being no further action required in the application an early passage to issuance is earnestly requested.

Respectfully submitted,



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Certification of mailing

I hereby certify that an executed original of this communication was mailed,

Express mail No. EG 398712006 US to Commissioner of Patents, P. O. Box 1450,

Alexandria, Virginia 22313-1404, this 18th day of March, 2011



James W. Hiney, Esq.